


**BUILDING INSPECTOR**  
**RULE AND REGULATION FOR CONSULTANT FEES**

In accordance with Massachusetts General Laws Chapter 44, §53G, the Andover Building Inspector may require that applicants provide funds to the Building Inspector for the reasonable fees of consultants to be selected by the Building Inspector. Such fees shall be deposited into a special account for the review of petitions or applications required by any state or federal law or local by-law filed with the Building Inspector for review or approval, and the inspection of work performed thereunder. An applicant may appeal the selection of the consultant to the Board of Selectmen within 7 days of such selection. Such appeal shall be limited to claims that the consultant selected has a conflict of interest or does not possess the minimum, required qualifications. The minimum qualifications shall consist either of an educational degree in or related to the field at issue or three or more years of practice in the field at issue or related fields. The required time limits for action upon an application by the Building Inspector shall be extended by the duration of the administrative appeal. In the event that no decision is made by the Board of Selectmen within one month following the filing of such appeal, the selection made by the Building Inspector shall stand. Such administrative appeal shall not preclude further judicial review, if otherwise permitted by law. Any such account shall be established by the town treasurer and shall be kept separate and apart from other monies. The special account, including accrued interest, if any, shall be expended at the direction of the Building Inspector without further appropriation; provided, however, that such funds are to be expended only in connection with carrying out the Building Inspector's responsibilities under the law. Any excess amount in the account attributable to a specific project, including any accrued interest, at the completion of said project shall be repaid to the applicant or to the applicant's

successor in interest and a final report of said account shall be made available to the applicant or the applicant's successor in interest. The town accountant shall submit annually a report of said special account to the Board of Selectmen and Town Manager to review. Such report shall be published in the town annual report. The town accountant shall submit annually a copy of said report to the director of the bureau of accounts.

Promulgated this 19 day of December, 2016.

  
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Christopher Clemente  
Andover Building Inspector